

REMARKS

In the March 5, 2008 Office Action, claims 1-5 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the March 5, 2008 Office Action, Applicants have amended claims 1 and 4 as indicated above. Also, Applicants have cancelled claims 2, 3 and 5, and added new claims 6-9. Thus, claims 1, 4 and 6-9 are now pending, with claims 1 and 4 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Rejections - 35 U.S.C. § 103

On pages 2-3 of the Office Action, claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,450,880 to Asahina et al. in view of U.S. Patent No. 6,729,153 to Moon et al. In response, Applicants have amended independent claims 1 and 4 as mentioned above, and cancelled claims 2, 3 and 5. This rejection is respectfully traversed in view of the Amendments to independent claims 1 and 4.

Claim 1

Independent claim 1 now requires, *inter alia*, a transparent design panel attached to the opaque front panel at a peripheral portion thereof, the transparent design panel having a design layer with at least a color scheme, and the design layer being provided on a reverse side surface of the transparent design panel. Clearly this arrangement is **not** disclosed or suggested by the Asahina et al. patent and/or the Moon et al. patent, whether taken alone or in combination.

Specifically, the Asahina et al. patent lacks a transparent design panel whatsoever, as acknowledged in the Office Action. The Office Action asserts that the panel 20 of the Asahina et al. patent is opaque because it is a plastic panel. However, this is not conclusively taught by the Asahina et al. patent. In other words, the Asahina et al. patent does not disclose or suggest an opaque front panel or transparent design panel attached thereto as now set forth in independent claim 1. Also, the so-called *front* panel 20 of the Asahina et al. patent is a

bottom panel, and is not configured to be attached to a front portion of the main body, as required by claim 1. The Moon et al. patent discloses a display panel 60 with a photo insertion slot designed to receive a picture therein. The display panel 60 is attached to a one-piece main body. Contrary to the assertion of the Office Action, this panel does not have a design layer with at least a color scheme provided on the reverse side surface. Rather, the picture inserted in the slot may be considered to have a design layer. Thus, even if a picture is inserted in the slot, the so-called color scheme or design layer is provided on a front surface of the picture substrate within the display panel 60 (i.e., between the front and reverse surfaces), *not* on a reverse side surface of the transparent display panel, as required by independent claim 1. Therefore, even if the one of ordinary skill in the art attempted to mount the display panel 60 of the Moon et al. patent on the *bottom* panel 20 of the Asahina et al. patent, such a hypothetical combination would not result in the unique arrangement of independent claim 1. The so-called front panel 20 of the Asahina et al. patent is a bottom panel. Thus, mounting the display panel 60 of the Moon et al. patent to the bottom panel 20 of the Asahina et al. patent would not result in a front panel as claimed.

Moreover, since the bottom panel 20 of the Asahina et al. patent is provided with an interior cutout in order to receive members 23 and 24 and airflow therethrough, and the display panel 60 of the Moon et al. patent is designed to be mounted adjacent (spaced from) the airflow opening 12 of the main body 10, one of ordinary skill in the art would not even attempt to mount the display panel 60 at the outer periphery of the panel 20 of the Asahina et al. patent. In other words, mounting the panel 60 of the Moon et al. patent to the member 20 of the Asahina et al. patent would obstruct airflow, and draw attraction to a ceiling unit that is typically designed to be discreet, which would be undesirable (i.e., destroy the Asahina et al. patent for its intended purpose). Furthermore, because the unit of the Asahina et al. patent is a ceiling unit, one of ordinary skill in the art would not even attempt to mount a picture display panel to the bottom surface thereof because room occupants would not see the picture unless they look up. Even then, depending on position in the room, the picture or message may be backwards and/or unreadable. Mounting the display panel 60 to a front of the Asahina et al. patent as claimed would position it within the ceiling rendering it useless. Accordingly, one of ordinary skill in the art would not combine these references as suggested

in the Office Action because these references and general knowledge within the art teach away from such a combination.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does **not** make the modification obvious, unless the prior art provides an **apparent reason** for the desirability of the modification. As explained above, in this case the prior art as well as the general knowledge in the art teach away from the hypothetical combination suggested by the Office Action. Accordingly, the prior art of record lacks any apparent reason, suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of independent claim 1.

Claim 4

Independent claim 4 now requires a method for manufacturing an indoor unit similar to the unit of claim 1. The method includes providing parts of an indoor unit including a main body, an opaque front panel integrally molded with a mounting portion that is configured to be attached to a front portion of the main body, and a transparent design panel; attaching the mounting portion of the opaque front panel to the front portion of the main body; forming a design layer with at least a color scheme on a portion or an entirety of a reverse side surface of the transparent design panel; and attaching the design panel to the opaque front panel at an outer peripheral portion of the transparent design panel such that the reverse side surface of the design panel and a part of a front portion of the opaque front panel face each other. Clearly this arrangement is **not** disclosed or suggested by the Asahina et al. patent and/or the Moon et al. patent, whether taken alone or in combination.

Specifically, as explained with reference to independent claim 1, the Asahina et al. patent lacks a transparent design panel whatsoever, as acknowledged in the Office Action. The Office Action asserts that the panel 20 of the Asahina et al. patent is opaque because it is a plastic panel. However, this is not conclusively taught by the Asahina et al. patent. In other words, the Asahina et al. patent does not disclose or suggest an opaque front panel or transparent design panel as now set forth in independent claim 4. Also, the so-called *front* panel 20 of the Asahina et al. patent is a *bottom* panel, and is not configured to be attached to a front portion of the main body, as required by claim 4. The Moon et al. patent discloses a display panel 60 with a photo insertion slot designed to receive a picture therein. The display panel 60 is attached to a one-piece main body. Contrary to the assertion of the Office Action,

this display panel 60 does not have a design layer with at least a color scheme provided on the reverse surface. Rather, the picture inserted in the slot may be considered to have a design layer on a substrate. Thus, even if a picture is inserted in the slot, the so-called color scheme or design layer is provided on a front surface of the picture within the display panel 60 (i.e., between the front and reverse surfaces), **not** on a reverse side surface of the display panel 60, as required by independent claim 4. Even if the one of ordinary skill in the art attempted to mount the display panel 60 of the Moon et al. patent on the *bottom* panel 20 of the Asahina et al. patent, such a hypothetical combination would not result in the unique arrangement of independent claim 4. The so-called front panel 20 of the Asahina et al. patent is a bottom panel. Thus, mounting the display panel 60 of the Moon et al. patent to the bottom panel 20 of the Asahina et al. patent would not result in a front panel as claimed.

Moreover, since the bottom panel 20 of the Asahina et al. patent is provided with an interior cutout in order to receive members 23 and 24 and airflow therethrough, and the display panel 60 of the Moon et al. patent is designed to be mounted adjacent (spaced from) the airflow opening 12 of the main body 10, one of ordinary skill in the art would not even attempt to mount the display panel 60 at the outer periphery of the panel 20 of the Asahina et al. patent. In other words, mounting the panel 60 of the Moon et al. patent to the member 20 of the Asahina et al. patent would obstruct airflow, and draw attraction to a ceiling unit that is typically designed to be discreet, which would be undesirable (i.e., destroy the Asahina et al. patent for its intended purpose). Furthermore, because the unit of the Asahina et al. patent is a ceiling unit, one of ordinary skill in the art would not even attempt to mount a picture display panel to the bottom surface thereof because room occupants would not see the picture unless they look up. Even then, depending on position in the room, the picture or message may be backwards and/or unreadable. Mounting the display panel 60 to a front of the Asahina et al. patent as claimed would position it within the ceiling rendering it useless. Accordingly, one of ordinary skill in the art would not combine these references as suggested in the Office Action because these references and general knowledge within the art teach away from such a combination.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does **not** make the modification obvious, unless the prior art provides an **apparent reason** for the desirability of the modification. As explained above, in this case the prior art as well as

the general knowledge in the art teach away from the hypothetical combination suggested by the Office Action. Accordingly, the prior art of record lacks any apparent reason, suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of independent claim 1.

New Claims

Applicants have added new dependent claims 6-9 by the current Amendment. New claims 6-9 depend from independent claims 1 and 4, and thus, are believed to be allowable for the reasons discussed above with respect to independent claims 1 and 4. Moreover, claims 6 and 8 require that the design layer is fixedly attached to the reverse side surface of the design panel. As mentioned above, in the Moon et al. patent the design layer with at least a color scheme is fixed to a front surface of substrate such as picture or photo paper, which is removably mounted within the slot of the display panel 60. Similarly, claims 7 and 9 require that the design layer is painted onto the reverse side surface. Again, in the Moon et al. patent the design layer with at least a color scheme is fixed to a front surface of substrate such as picture or photo paper, which is removably mounted within the slot of the display panel 60.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1, 4 and 6-9 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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